

Matthew D. Parrott (MDP-4623)  
KATTEN MUCHIN ROSENMAN LLP  
575 Madison Avenue  
New York, NY 10022  
(212) 940-8800

SCANNED

Attorneys for Defendants  
*Jay Sugarman, Jay S. Nydick, Catherine D. Rice,*  
*Glenn R. August, Robert W. Holman, Jr., Robin Josephs,*  
*John G. McDonald, George R. Puskar, Jeffrey A. Weber,*  
*and Carter McClelland*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LEE ARNOLD, Derivatively on Behalf of  
ISTAR FINANCIAL INC.,

Plaintiff,

vs.

JAY SUGARMAN, JAY S. NYDICK, CATHERINE D.  
RICE, GLENN R. AUGUST, ROBERT W. HOLMAN,  
JR., ROBIN JOSEPHS, JOHN G. MCDONALD,  
GEORGE R. PUSKAR, JEFFREY A. WEBER and  
CARTER MCCLELLAND,

Defendants,

-and-

ISTAR FINANCIAL INC., a Maryland corporation,

Nominal Defendant.

Case No. 1:08-cv-03664-RWS

ECF Case

**NOTICE OF MOTION TO  
ADMIT DAVID H.  
KISTENBROKER PRO HAC  
VICE**

**PLEASE TAKE NOTICE** that, upon the attached Affidavit of Matthew D. Parrott, dated June 13, 2008 and the exhibits attached thereto, and upon all prior pleadings and proceedings had herein, defendants Jay Sugarman, Jay S. Nydick, Catherine D. Rice, Glenn R. August, Robert W. Holman, Jr., Robin Josephs, John G. McDonald, George R. Puskar, Jeffrey A. Weber, and Carter McClelland will move this Court before the Honorable Robert W. Sweet, at the United States Courthouse, 500 Pearl St., New York, New York, for an Order pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, allowing the admission *pro hac vice* of

JUN 16 2008  
654140825

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JUN 16 11:03 AM '08

Mr. David H. Kistenbroker  
KATTEN MUCHIN ROSENMAN LLP  
525 West Monroe Street, Suite 1900  
Chicago, Illinois 60661  
Tel: (312) 902-5452  
Fax: (312) 577-4481  
[david.kistenbroker@kattenlaw.com](mailto:david.kistenbroker@kattenlaw.com)

David H. Kistenbroker is a partner of the law firm of Katten Muchin Rosenman LLP and a member in good standing of the Bar of the States of Illinois and Wisconsin; the United States Supreme Court; the Courts of Appeals for the Second, Sixth, Seventh and Eighth Circuits; and the United States District Courts for the Northern District of Illinois and the Eastern District of Wisconsin. There is no pending disciplinary proceeding against Mr. Kistenbroker in any State or Federal Court.

Dated: New York, New York  
June 13, 2008

KATTEN MUCHIN ROSENMAN, LLP

By: \_\_\_\_\_

  
Matthew D. Parrott (MDP-4623)

575 Madison Avenue  
New York, NY 10022  
Tel: (212) 940-8800  
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[m.parrott@kattenlaw.com](mailto:m.parrott@kattenlaw.com)

*Attorneys for Defendants Jay Sugarman, Jay  
S. Nydick, Catherine D. Rice, Glenn R.  
August, Robert W. Holman, Jr., Robin  
Josephs, John G. McDonald, George R.  
Puskar, Jeffrey A. Weber, and Carter  
McClelland*

*Served on:*

Thomas G. Amon

LAW OFFICES OF THOMAS G. AMON

250 West 57<sup>th</sup> Street, Suite 1316

New York, NY 10107

Tel: (212) 810-2430

Fax: (212) 810-2427

Brian J. Robbins

ROBBINS UMEDA & FINK, LLP

610 West Ash Street, Suite 1800

San Diego, CA 92101

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Matthew D. Parrott (MDP-4623)  
 KATTEN MUCHIN ROSENMAN LLP  
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 New York, NY 10022  
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Attorneys for Defendants  
*Jay Sugarman, Jay S. Nydick, Catherine D. Rice,*  
*Glenn R. August, Robert W. Holman, Jr., Robin Josephs,*  
*John G. McDonald, George R. Puskar, Jeffrey A. Weber,*  
 and *Carter McClelland*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

----- x	
LEE ARNOLD, Derivatively on Behalf of	) Case No. 1:08-cv-03664-RWS
ISTAR FINANCIAL INC.,	)
	) ECF Case
Plaintiff,	)
	) <b>AFFIDAVIT OF MATTHEW</b>
vs.	) <b>D. PARROTT IN SUPPORT</b>
	) <b>OF ADMISSION OF DAVID</b>
JAY SUGARMAN, JAY S. NYDICK, CATHERINE D.	) <b>H. KISTENBROKER PRO</b>
RICE, GLENN R. AUGUST, ROBERT W. HOLMAN,	) <b>HAC VICE</b>
JR., ROBIN JOSEPHS, JOHN G. MCDONALD,	)
GEORGE R. PUSKAR, JEFFREY A. WEBER and	)
CARTER MCCLELLAND,	)
Defendants,	)
	)
-and-	)
ISTAR FINANCIAL INC., a Maryland corporation,	)
Nominal Defendant.	)
	)
----- x	
STATE OF NEW YORK )	
)	ss:
COUNTY OF NEW YORK )	

**MATTHEW D. PARROTT**, being duly sworn, hereby deposes and says:

1. I am a partner of the law firm Katten Muchin Rosenman LLP, counsel for Individual Defendants Jay Sugarman, Jay S. Nydick, Catherine D. Rice, Glenn R. August, Robert W. Holman, Jr., Robin Josephs, John G. McDonald, George R. Puskar, Jeffrey A. Weber and Carter McClelland (collectively, the "Individual Defendants") in the above-captioned action. I am familiar with the proceedings in this case. I submit this affidavit in support of the


Individual Defendants' motion, pursuant to Rule 1.3(c) of the Local Rules of this Court, for admission of David H. Kistenbroker to the Bar of this Court *pro hac vice*.

2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law on June 25, 1997. I also am admitted to the Bar of the United States District Court for the Southern and Eastern Districts of New York and the Courts of Appeals for the Second and Sixth Circuits. I am in good standing with this Court.

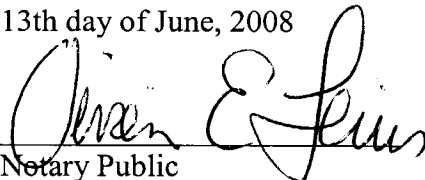
3. Mr. Kistenbroker is a partner of the law firm of Katten Muchin Rosenman LLP, which has offices at 525 W. Monroe Street, Suite 1900, Chicago Illinois, 60661. I believe that he is of, and will act with, the highest integrity. Mr. Kistenbroker is a member in good standing of the Bar of the States of Illinois and Wisconsin; the United States Supreme Court; the Courts of Appeals for the Second, Sixth, Seventh and Eighth Circuits; and the United States District Courts for the Northern District of Illinois and the Eastern District of Wisconsin.

4. Attached hereto as Exhibit "A" is an affidavit from Mr. Kistenbroker and a Certificate from the State Bar of the State of Illinois reflecting that Mr. Kistenbroker is an active member in good standing of that Bar.

5. Accordingly, I respectfully request that this Court enter an order admitting David H. Kistenbroker *pro hac vice* to the Bar of this Court. Attached hereto as Exhibit "B" is a proposed Order.

  
Matthew D. Parrott

Sworn to before me this  
13th day of June, 2008

  
Notary Public

VIVIEN E. LEWIS  
NOTARY PUBLIC, State of New York  
No. 01LE8048604  
Qualified in New York County  
Commission Expires September 25, 2010

Matthew D. Parrott (MDP-4623)  
 KATTEN MUCHIN ROSENMAN LLP  
 575 Madison Avenue  
 New York, NY 10022  
 (212) 940-8800

Attorneys for Defendants  
*Jay Sugarman, Jay S. Nydick, Catherine D. Rice,*  
*Glenn R. August, Robert W. Holman, Jr., Robin Josephs,*  
*John G. McDonald, George R. Puskar, Jeffrey A. Weber,*  
*and Carter McClelland*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

----- X	
LEE ARNOLD, Derivatively on Behalf of	) Case No. 1:08-cv-03664-RWS
ISTAR FINANCIAL INC.,	)
	) ECF Case
Plaintiff,	)
	) <b>AFFIDAVIT OF DAVID H.</b>
vs.	) <b>KISTENBROKER IN</b>
	) <b>SUPPORT OF ADMISSION</b>
JAY SUGARMAN, JAY S. NYDICK, CATHERINE D.	) <b>PRO HAC VICE</b>
RICE, GLENN R. AUGUST, ROBERT W. HOLMAN,	)
JR., ROBIN JOSEPHS, JOHN G. MCDONALD,	)
GEORGE R. PUSKAR, JEFFREY A. WEBER and	)
CARTER MCCLELLAND,	)
	)
Defendants,	)
	)
-and-	)
	)
ISTAR FINANCIAL INC., a Maryland corporation,	)
	)
Nominal Defendant.	)
	)
----- X	
STATE OF ILLINOIS )	
)	ss:
COUNT OF COOK )	

**DAVID H. KISTENBROKER**, being duly sworn, deposes and says:

1. I submit this affidavit in support of the motion that I be permitted to appear *pro hac vice* in this case.

2. I am a partner of the law firm Katten Muchin Rosenman LLP, counsel for Individual Defendants Jay Sugarman, Jay S. Nydick, Catherine D. Rice, Glenn R. August,

Robert W. Holman, Jr., Robin Josephs, John G. McDonald, George R. Puskar, Jeffrey A. Weber and Carter McClelland in the above-captioned action.

3. I am a member in good standing of the Bar of the States of Illinois and Wisconsin; the United States Supreme Court; the Courts of Appeals for the Second, Sixth, Seventh and Eighth Circuits; and the United States District Courts for the Northern District of Illinois and the Eastern District of Wisconsin.


4. Attached hereto as Exhibit "1" is a Certificate from the State Bar of the State of Illinois reflecting that I am an active member in good standing of that Bar.

5. There are no disciplinary proceedings pending against me in any jurisdiction, nor have I ever been the subject of any disciplinary hearing.

6. I am familiar with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York and am willing and able to comply with each of the Rules.

  
David H. Kistenbroker

Sworn to before me this  
17th day of June, 2008

  
Notary Public



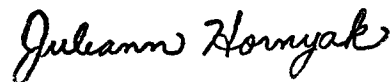
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

David H. Kistenbroker

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on October 29, 1980 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Monday, May 19, 2008.



Clerk



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
LEE ARNOLD, Derivatively on Behalf of  
ISTAR FINANCIAL INC.,

Plaintiff,

vs.

JAY SUGARMAN, JAY S. NYDICK, CATHERINE D.  
RICE, GLENN R. AUGUST, ROBERT W. HOLMAN,  
JR., ROBIN JOSEPHS, JOHN G. MCDONALD,  
GEORGE R. PUSKAR, JEFFREY A. WEBER and  
CARTER MCCLELLAND,

Defendants,

-and-

ISTAR FINANCIAL INC., a Maryland corporation,

Nominal Defendant.  
----- X

) Case No. 1:08-cv-03664-RWS

) ECF Case

) **ORDER**

Upon motion of Matthew D. Parrott of Katten Muchin Rosenman LLP, attorneys for Individual Defendants Jay Sugarman, Jay S. Nydick, Catherine D. Rice, Glenn R. August, Robert W. Holman, Jr., Robin Josephs, John G. McDonald, George R. Puskar, Jeffrey A. Weber and Carter McClelland, and said sponsor's affidavit in support;

**IT IS HEREBY ORDERED** that

David H. Kistenbroker  
KATTEN MUCHIN ROSENMAN LLP  
525 West Monroe Street, Suite 1900  
Chicago, Illinois 60661  
Tel: (312) 902-5452  
Fax: (312) 577-4481  
[david.kistenbroker@kattenlaw.com](mailto:david.kistenbroker@kattenlaw.com)

is admitted, *pro hac vice*, as counsel for Individual Defendants Jay Sugarman, Jay S. Nydick, Catherine D. Rice, Glenn R. August, Robert W. Holman, Jr., Robin Josephs, John G. McDonald, George R. Puskar, Jeffrey A. Weber and Carter McClelland in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing

before this Court are subject to the Local Rules of this Court, including rules governing discipline of attorneys. As this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York

\_\_\_\_\_, 2008

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Hon. Robert W. Sweet, U.S.D.J.

STATE OF NEW YORK     )  
                                      :     ss.:     AFFIDAVIT OF SERVICE BY MAIL  
COUNTY OF NEW YORK    )

JULIAN SANTOS, being duly sworn, deposes and says:

1.     I am not a party to this action, am over 18 years of age, and am employed by the firm of Katten Muchin Rosenman LLP.

2.     On the 13<sup>th</sup> day of June, 2008, I served the annexed **NOTICE OF MOTION TO ADMIT *PRO HAC VICE*** in this action, upon the following at the addresses indicated, by depositing a true copy thereof, enclosed in properly addressed postpaid wrappers marked first class mail, in an official depository of the United States Postal Service within the State of New York:

Thomas G. Amon  
Law Offices of Thomas G. Amon  
250 West 57<sup>th</sup> Street, Suite 1316  
New York, NY 10107

Brian J. Robbins  
Robbins Umeda & Fink, LLP  
610 West Ash Street, Suite 1800  
San Diego, CA 92101

Sworn to before me this  
13<sup>th</sup> day of June, 2008

  
\_\_\_\_\_  
Notary Public

  
JULIAN SANTOS

DARIEN PEREYRA  
NOTARY PUBLIC, State of New York  
No. 01P80173245  
Qualified in New York County  
Commission Expires October 09, 2011